PLANNING POLICY COMMITTEE

Date: 08 June 2020
Venue: Virtual Meeting
Time: 7.00pm

Present: Councillors: David Brackenbury (Chairman)
Tony Boto (Vice-Chairman)
Steven North (Leader of the Council)
David Jenney (Deputy Leader of the Council)
Val Carter
Sylvia Hughes
Richard Lewis
Dorothy Maxwell
Gill Mercer
Sarah Peacock
Rupert Reichhold
Jake Vowles

33. CONFIRMATION OF CHAIRMAN

Councillor David Brackenbury was confirmed as Chairman of the Committee for 2020/21.

34. CONFIRMATION OF VICE CHAIRMAN

Councillor Tony Boto was confirmed as the Vice Chairman of the Committee for 2020/21.

35. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Sylvia Hobbs

36. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 20 January 2020 were approved, subject to an amendment at 348.

37. DECLARATIONS OF INTEREST

No declarations of interest were made.

38. QUESTIONS UNDER COUNCIL PROCEDURE RULE 10.3

There were no questions submitted under Procedure Rule 10.3.

39. PUBLIC SPEAKERS

At the invitation of the Chairman, two speakers addressed the meeting in respect of the following item:
40. **DRAFT LOCAL PLAN PART 2 FOCUSED CONSULTATION RESPONSES**

The Planning Policy Manager presented a report which provided a response to the Local Plan focussed consultation, which was undertaken for a 6 week period from 10th February 2020, closing on March 23rd 2020. The report also considered the implications arising from the representations submitted and set out the proposed responses.

52 representations had been received from separate individuals or organisations. 39 representations related to the proposed housing allocation at Rushden Lakes West, whilst 13 responses related to the Free School proposal east of Higham. Many of the representations provided comments and support for the proposals, but objections were raised in respect of the proposed allocation at Rushden Lakes West.

The representations submitted in respect of the Free School on Chelveston Road, Higham Ferrers were generally supportive of the proposal, with the key issues raised relating to the loss of the existing playing field provision resulting from the proposal, the replacement of which should be provided through policy, and also that the Free School should be considered within the wider context of proposals to develop a sports hub and associated facilities, within easy reach of local communities and to allow easy integration with the masterplanning of the Rushden East Sustainable Urban Extension.

The Committee was advised that although a number of the respondents had raised the need for mitigation measures in terms of infrastructure issues in respect of Rushden Lakes West, there had been no objection raised from the statutory providers, and officers would work with the statutory undertakers to seek to mitigate these matters.

It was noted that both Natural England and the Wildlife Trust had raised similar objections to the Rushden Lakes West proposed allocation in relation to environmental issues, with the site being located in close proximity to the Upper Nene Gravel Pits Special Protection Area (SPA) and a Site of Special Scientific Interest. Natural England’s objection was based on the concern that increasing recreational pressure on the SPA beyond that anticipated through the agreed Mitigation Strategy was accentuated by insufficient evidence having been provided to allow a proper assessment of the potential impacts of the proposal on the SPA.

Officers advised that additional work would be required to enable Natural England to understand if, and how, the impact of the proposed allocation could be satisfactorily mitigated and to ensure that the approach was compliant with the Habitats Regulations. In addition, further work would also require a detailed assessment of whether other viable alternative proposals could be delivered. Officers advised that the additional work would include a visitor survey measuring the footfall around the Rushden Lakes area, and the provision of a district-wide bird sensitivity survey, to provide evidence that access from the proposed allocation into the SPA would be minimised at the policy stage and that Suitable Alternative Natural Greenspace (SANG) would be provided on site. The outcome of the survey work would remain unknown for some months as it would be undertaken through the autumn/winter period, although the Committee raised concerns at the reliability of any surveys in the near future due to the impact of COVID-19. The work would need to be informed by an Appropriate Assessment, as the proposed allocation had been indicated as likely to have a significant effect on a protected habitats site.
The Committee was advised that the additional work must; evidence the level of mitigation necessary to deliver the proposed allocation at Rushden Lakes West; inform if the full 450 dwelling proposed allocation at Rushden Lakes West cannot be mitigated, whether a smaller scale proposal on the site may prove acceptable with the balance of further housing supply being met on an alternative site or sites in Rushden; and undertake assessments to inform options for providing the total housing delivery required on a viable alternative site or sites within the designated Growth Town of Rushden, should it emerge through the other workstreams that the preferred allocation at Rushden Lakes West cannot be satisfactorily mitigated. The work required would impact on the proposed pre-submission dates for the Local Plan, which was anticipated in the summer of 2020, however understanding the need to satisfactorily address the objections raised to ensure an robust Plan could be submitted for examination was essential.

During debate, Members raised concerns regarding the tight timescales, noting the importance of the additional work required to form a robust Plan, but also emphasising the aim to deliver the submission of the Plan within the lifetime of East Northamptonshire Council. The suitability of the proposed allocation at Rushden Lakes West was raised, with Members requesting assessments of other alternative sites along with more input from the residents of Rushden as to where the 450 dwelling proposed allocation could be located to benefit the town. Officers advised that additional sites could be brought forward and would be considered, and other alternatives had not been closed off, but that Rushden Lakes West had been agreed previously as the preferred allocation site, and work would be undertaken to ascertain if satisfactory mitigation could be carried out in order to make the site deliverable or not.

RESOLVED:

(i) To approve the officer responses to the representations submitted as part of the Local Plan focused consultation and the accompanying appendices to that report.

(ii) Approve further assessment work, focused on the designated Growth Town of Rushden and including Rushden Lakes West (as set out in the body of the report), to provide robust evidence to inform the Council’s approach to delivering future housing requirements in support of a pre-submission plan.

(Reason: To ensure that a robust Local Plan, evidencing identified requirements, is submitted for examination).

41. RESIDENTIAL EXTENSIONS SUPPLEMENTARY PLANNING DOCUMENT

The Planning Policy Manager presented a report seeking approval to adopt a guidance note on householder extensions as a Supplementary Planning Document for use in connection with determining Planning Applications and for providing general planning advice. The purpose of the document is to replace the Council’s current Residential Extensions guidance which was originally adopted on 14th October 1998.

Members had made a number of comments on the draft document at a meeting of this Committee in January 2020 in regards to parking, and subject to those being addressed, approved the document to go out for a 6 week period of consultation. The consultation took place over the period 7th February to 23rd March 2020. There were no fundamental changes to the document as a result of the consultation.
Members noted that a compromise regarding tandem parking had been reached previously, and agreed the approach set out in the SPD. The document was well received and it was noted that it would be very useful for Town and Parish Council’s when considering applications in their area.

**RESOLVED:**

(i) To adopt the householder extensions guidance as a Supplementary Planning Document based on the document attached in Appendix 1 to the report, for the Council to use in determining Planning Applications and in providing general planning advice.

*(Reason: To adopt the householder extension guidance as a Supplementary Planning Document.)*

**42. COTTERSTOCK VILLAGE DESIGN STATEMENT**

The Planning Policy Officer presented a report seeking approval to undertake a consultation on the Cotterstock Village Design Statement, with a view to adopting it as a Supplementary Planning Document (SPD).

The Village Design Statement (VDS) was prepared by members of the local community of Cotterstock, who had sought input from East Northamptonshire Council (ENC) officers to ensure that the document produced would be fit for purpose and to obtain advice as to what would be required for ENC to adopt the VDS as a statutory SPD in accordance with the 2012 regulations.

The VDS set out a distinctive local vision for Cotterstock by 2031. The VDS survey had enabled a range of guidelines to be developed regarding; landscape, buildings and design, highways and street furniture and amenities. The Committee commended the document along with the work that had gone into creating it.

**RESOLVED:**

(i) To approve the draft Cotterstock VDS for a 6-week period of consultation, in accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012; Regulations 12 and 35, and Statement of Community Involvement, adopted September 2019.

*(Reason: To approve the draft Cotterstock VDS for a 6-week period of consultation.)*

**43. SUSPENSION OF COUNCIL PROCEDURE RULE 8**

At 8.50pm, it was proposed that Council Procedure Rule 8 (Duration of Meeting) be suspended to enable the Committee to continue the business on the agenda. On being put to the vote, it was

**RESOLVED:**

That Council Procedure Rule 8 be suspended to enable the Committee to continue the business on the agenda.
44.  5 YEAR HOUSING LAND SUPPLY UPDATE

The Principal Planning Policy Officer presented a report regarding the Annual Position Statement and provided an update on East Northamptonshire Council’s current five year housing land supply situation as at 1st April 2020.

The Council’s five year housing land supply for the period to 1st April 2019 had previously been agreed by the Planning Policy Committee on 17th December 2019, and identified a five years land supply (6.03 years). This figure was subsequently challenged by Lourett Developments Ltd through a planning appeal, which was considered at an informal hearing on 8th January 2020. On 24th January 2020 the Planning Inspector upheld the appeal and reduced the Council’s housing land supply from 6.03 years to 4.28 years.

Following the Inspector’s decision, on 6th March 2020 the Council submitted a Statutory Planning Appeal to the High Court. On 12th May 2020 the Council agreed a Consent Order with both the Secretary of State and Lourett Developments for consideration by the High Court. All parties agreed that it was appropriate for the Court to make an Order quashing the decisions of the Planning Inspector and remitting the appeal to be determined again. The High Court had yet to consider the agreed Consent Order and determine the matter.

The report presented to Members represented an updated housing land supply. This was prepared with reference to evidence presented on 8th January 2020 to the planning appeal hearing and subsequent High Court case.

Members expressed concern at the lack of clarity regarding the future application of the five year housing land supply, and whether this would be under the sovereign authority for a fixed period of time, or under North Northamptonshire after the commencement of the Unitary Authority vesting day, 1st April 2021. It was proposed to write to MHCLG to determine the future approach to determining the five year housing land supply, after vesting day.

RESOLVED:

(i) That the updated schedule of sites and phasing assumptions used in the calculation of the five year housing land supply figure (Appendix 3) which constitute the Council’s “Annual Position Statement”; to be included in the 2019 Authorities Monitoring Report be noted.

(ii) That the updated five year housing land supply calculation for 1st April 2019 against the submitted North Northamptonshire Joint Core Strategy (Policy 28/ Table 4): 6.16 years, applying a 5% buffer (Appendix 5), be noted.

(iii) That authority be delegated to the Head of Planning Services and the Executive Director of Growth and Infrastructure, in consultation with the Chair and Vice Chair of the Planning Policy Committee, Leader and Deputy Leader of the Council, to write to MHCLG to seek clarity on the future approach to determining the five year housing land supply.

(Reason: To provide robust housing land supply position on which to base planning decisions)

Chairman